

JOURNAL OF THE HOUSE

EIGHTY-NINTH SESSION

THIRTY-FOURTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, March 11, 2014

The House convened at 10:00 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Father Michael Griffin, followed by the Pledge of Allegiance led by House pages Taylor Bergeson, Tanner Iwerks, and Dustin Wahl.

Roll Call: All members present except Rep. Kaiser who was excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirty-third day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Brian G. Gosch, Chair

Which motion prevailed.

MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to return herewith HB 1046, 1063, 1071, 1161, and 1166 which have passed the Senate without change.

Also MR. SPEAKER:

I have the honor to return herewith HB 1039, 1127, 1129, 1143, 1162, and 1177 which have been amended by the Senate and your concurrence in the amendments is respectfully requested.

Also MR. SPEAKER:

I have the honor to return herewith HCR 1029, 1030, and 1032 in which the Senate has concurred.

Also MR. SPEAKER:

I have the honor to return herewith HCR 1028 and 1031 which have been amended by the Senate and your concurrence in the amendments is respectfully requested.

Also MR. SPEAKER:

I have the honor to transmit herewith SCR 6 which has been adopted by the Senate and your concurrence is respectfully requested.

Respectfully,
Jeannette Schipper, Secretary

Speaker Pro tempore Wink now presiding.

MOTIONS AND RESOLUTIONS

Rep. Gosch moved that the House do not concur in Senate amendments to HB 1177 and that a committee of three on the part of the House be appointed to meet with a like committee on the part of the Senate to adjust the differences between the two houses.

1 Which motion prevailed and the Speaker appointed as such committee Reps. Gosch,
2 Cronin, and Peterson.

3 Speaker Gosch now presiding.

4 SCR 6: A CONCURRENT RESOLUTION, Expressing the Legislature's support for
5 citizens and communities in eastern South Dakota impacted by severe high water conditions
6 over the last two decades.

7 Was read the first time and the Speaker waived the committee referral.

8 **CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES**

9 Rep. Johns moved that the report of the Conference Committee on HB 1069 as found on
10 page 693 of the House Journal be adopted.

11 The question being on Rep. Johns' motion that the report of the Conference Committee on
12 HB 1069 be adopted.

13 And the roll being called:

14 Yeas 66, Nays 2, Excused 2, Absent 0

15 Yeas:

16 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
17 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
18 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
19 Johns; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson; Munsterman;
20 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
21 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
22 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
23 Speaker Gosch

24 Nays:

25 Latterell; Nelson

26 Excused:

27 Campbell; Kaiser

28 So the motion having received an affirmative vote of a majority of the members-elect, the
29 Speaker declared the motion carried and the report was adopted.

30 Speaker Pro tempore Wink now presiding.

1 **CONSIDERATION OF REPORTS OF COMMITTEES**

2 Rep. Lust moved that the reports of the Standing Committees on
3 State Affairs on SB 108 as found on page 677 of the House Journal; also
4 State Affairs on SB 168 as found on page 678 of the House Journal; also
5 Judiciary on SB 65 as found on page 691 of the House Journal; also
6 Judiciary on SB 90 as found on page 691 of the House Journal; also
7 Judiciary on SB 113 as found on page 693 of the House Journal be adopted.
8 Which motion prevailed.

9 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

10 SB 172: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to services
11 performed by dental hygienists.

12 Was read the second time.

13 The question being "Shall SB 172 pass as amended?"

14 And the roll being called:

15 Yeas 68, Nays 0, Excused 2, Absent 0

16 Yeas:

17 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
18 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
19 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
20 Johns; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;
21 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
22 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
23 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
24 Wick; Wink; Wismer; Speaker Gosch

25 Excused:

26 Campbell; Kaiser

27 So the bill having received an affirmative vote of a majority of the members-elect, the
28 Speaker declared the bill passed and the title was agreed to.

1 Rep. Lust moved that SB 158, 44, and 157 be placed to follow SB 107 on today's calendar.

2 Which motion prevailed.

3 SB 106: FOR AN ACT ENTITLED, An Act to identify criteria to deny a minor boundary
4 change.

5 Was read the second time.

6 Rep. Johns moved that SB 106 be laid on the table.

7 The question being on Rep. Johns' motion that SB 106 be laid on the table.

8 And the roll being called:

9 Yeas 68, Nays 0, Excused 2, Absent 0

10 Yeas:

11 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
12 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
13 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
14 Johns; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;
15 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
16 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
17 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
18 Wick; Wink; Wismer; Speaker Gosch

19 Excused:

20 Campbell; Kaiser

21 So the motion having received an affirmative vote of a majority of the members-elect, the
22 Speaker declared the motion carried and SB 106 was tabled.

23 Rep. May moved that SB 46 be placed to follow SB 113 on today's calendar.

24 Which motion prevailed.

25 Rep. Lust moved that SB 143 be placed to follow SB 157 on today's calendar.

26 Which motion prevailed.

SB 108: FOR AN ACT ENTITLED, An Act to establish the Autism Spectrum Disorder workgroup to study the impact of autism spectrum disorder on children in this state and to make recommendations to the Legislature on policies to effectively address the issue.

Was read the second time.

108jd

Rep. Munsterman moved that SB 108 be amended as follows:

On page 3, line 6, of the House State Affairs Committee engrossed bill, after "disorder" insert "including the cost of requiring insurance plans to cover the screening, diagnosis, and treatment of autism spectrum disorder for children".

On page 3, after line 9, insert:

" Section 5. The ASD workgroup may contract with a consultant for the study required pursuant to this Act. The consultant must have demonstrated expertise in autism spectrum disorder and in evaluating the issues relating to the insurance coverage for the treatment of autism spectrum disorder for children.

Section 6. Any agency of the state or any organization that has a contract with the state shall cooperate with the ASD workgroup or its consultant for the purpose of providing facts, figures, data, projections, and other information needed to complete the study."

Which motion prevailed.

The question being "Shall SB 108 pass as amended?"

And the roll being called:

Yeas 68, Nays 0, Excused 2, Absent 0

Yeas:

Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

Excused:

Campbell; Kaiser

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the bill passed and the title was agreed to.

3 SB 168: FOR AN ACT ENTITLED, An Act to authorize criminal background checks for
4 certain officers and employees of the Governor's Office of Economic Development.

5 Was read the second time.

6 The question being "Shall SB 168 pass as amended?"

7 And the roll being called:

8 Yeas 66, Nays 2, Excused 2, Absent 0

9 Yeas:

10 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Cronin; Dryden; Duvall; Ecklund;
11 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Hajek; Hawks; Hawley;
12 Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman;
13 Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup
14 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
15 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
16 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
17 Speaker Gosch

18 Nays:

19 Craig; Haggar (Jenna)

20 Excused:

21 Campbell; Kaiser

22 So the bill having received an affirmative vote of a majority of the members-elect, the
23 Speaker declared the bill passed and the title was agreed to.

24 SB 65: FOR AN ACT ENTITLED, An Act to revise and clarify voter eligibility for road
25 district elections.

26 Was read the second time.

27 65sa

28 Rep. Johns moved that SB 65 be amended as follows:

29 On page 4, line 1, of the House Judiciary Committee engrossed bill, after "." insert
30 "However, if more than one person holds an interest in a lot, tract, or parcel of land, no more

1 than one vote may be cast in any election with respect to any one lot, tract, or parcel of land, as
2 the owners may among themselves determine."

3 On page 4, line 6, delete "both the landowner and".

4 On page 4, line 7, delete "are treated as landowners" and insert "is treated as the
5 landowner".

6 Which motion prevailed.

7 The question being "Shall SB 65 pass as amended?"

8 And the roll being called:

9 Yeas 56, Nays 12, Excused 2, Absent 0

10 Yeas:

11 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
12 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
13 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kopp;
14 Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup (David);
15 Olson (Betty); Otten (Herman); Qualm; Rasmussen; Romkema; Rounds; Rozum; Schaefer;
16 Schoenfish; Sly; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Werner; Westra; Wick; Wink;
17 Speaker Gosch

18 Nays:

19 Feinstein; Hawks; Killer; Kirschman; Parsley; Peterson; Ring; Russell; Schrempp; Soli;
20 Verchio; Wismer

21 Excused:

22 Campbell; Kaiser

23 So the bill having received an affirmative vote of a majority of the members-elect, the
24 Speaker declared the bill passed and the title was agreed to.

25 SB 90: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the High
26 School Activities Association.

27 Was read the second time.

1 90tf

2 Rep. Gosch moved that SB 90 be amended as follows:

3 On page 2, line 5, of the House Judiciary Committee engrossed bill, delete "Any such" and
4 insert "The".

5 On page 2, line 5, after "1-27" insert ". However, any such association, and its employees,
6 meetings, and records, are afforded the same exemptions and protections as a political
7 subdivision or public body is provided under chapter 1-25 and chapter 1-27".

8 On page 2, line 7, delete "Any such" and insert "The".

9 On page 3, delete lines 3 to 24, inclusive.

10 On page 4, delete lines 1 to 20, inclusive.

11 Which motion prevailed.

12 The question being "Shall SB 90 pass as amended?"

13 And the roll being called:

14 Yeas 62, Nays 6, Excused 2, Absent 0

15 Yeas:

16 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
17 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
18 Hajek; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Johns; Kopp; Langer; Latterell;
19 Lust; Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup (David); Otten (Herman);
20 Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer;
21 Schoenfish; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
22 Wick; Wink; Wismer; Speaker Gosch

23 Nays:

24 Heinert; Hunhoff (Bernie); Killer; Kirschman; Olson (Betty); Schrempp

25 Excused:

26 Campbell; Kaiser

27 So the bill having received an affirmative vote of a majority of the members-elect, the
28 Speaker declared the bill passed and the title was agreed to.

29 Speaker Gosch now presiding.

1 SB 113: FOR AN ACT ENTITLED, An Act to revise the minimum suspension
2 requirements for students participating in extracurricular activities.

3 Was read the second time.

4 The question being "Shall SB 113 pass as amended?"

5 And the roll being called:

6 Yeas 48, Nays 20, Excused 2, Absent 0

7 Yeas:

8 Anderson; Bartling; Cammack; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert;
9 Feinstein; Gibson; Haggar (Don); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey;
10 Hunhoff (Bernie); Johns; Killer; Kirschman; Langer; Lust; Magstadt; May; Munsterman;
11 Novstrup (David); Otten (Herman); Parsley; Peterson; Ring; Romkema; Rounds; Rozum;
12 Schaefer; Schoenfish; Schrempp; Sly; Soli; Steele; Stevens; Tyler; Werner; Westra; Wink;
13 Wismer

14 Nays:

15 Bolin; Carson; Conzet; Greenfield; Haggar (Jenna); Hoffman; Kopp; Latterell; Mickelson;
16 Nelson; Olson (Betty); Qualm; Rasmussen; Russell; Solum; Stalzer; Tulson; Verchio; Wick;
17 Speaker Gosch

18 Excused:

19 Campbell; Kaiser

20 So the bill having received an affirmative vote of a majority of the members-elect, the
21 Speaker declared the bill passed and the title was agreed to.

22 SB 46: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding animal
23 welfare and to provide a felony penalty for cruelty to animals.

24 Was read the second time.

25 46ra

26 Rep. May moved that SB 46 be amended as follows:

27 On page 4, line 10, of the Senate Agriculture and Natural Resources Committee engrossed
28 bill, after "officer" overstrike "," and insert "or".

29 On page 4, line 10, after "board," overstrike "or agent or officer of any".

30 On page 4, line 11, overstrike "humane society".

1 On page 6, line 13, after "officer" overstrike ",".

2 On page 6, line 14, overstrike "any agent or officer of any humane society,".

3 On page 10, delete lines 3 to 10, inclusive, and insert:

4 " Section 22. That § 40-2-1 be repealed.

5 ~~40-2-1. Any three or more citizens of this state organized as a nonprofit corporation in this~~
6 ~~state, for the purpose of preventing cruelty to animals, may avail themselves of the privileges~~
7 ~~of this chapter through an animal control officer subject to the limitations in §§ 40-2-6 and 40-2-~~
8 ~~7. The board of county commissioners in each county may grant authority to exercise the~~
9 ~~privileges and authority granted by this section to one or more qualified nonprofit corporations~~
10 ~~for a period of up to three years based upon ability to fulfill the purposes of this chapter."~~

11 Rep. Latterell called for a division of the House.

12 The Speaker declared that Rep. May's motion lost.

13 Rep. Cronin moved the previous question.

14 Which motion prevailed.

15 The question being "Shall SB 46 pass as amended?"

16 And the roll being called:

17 Yeas 54, Nays 15, Excused 1, Absent 0

18 Yeas:

19 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Craig; Dryden; Duvall; Erickson;
20 Feickert; Feinstein; Gibson; Haggar (Don); Hajek; Hawks; Hawley; Heinemann (Leslie);
21 Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Langer; Lust;
22 Magstadt; Mickelson; Munsterman; Novstrup (David); Parsley; Peterson; Qualm; Rasmussen;
23 Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer;
24 Stevens; Tulson; Tyler; Werner; Westra; Wick; Wink; Wismer

25 Nays:

26 Campbell; Cronin; Ecklund; Greenfield; Haggar (Jenna); Kopp; Latterell; May; Nelson; Olson
27 (Betty); Otten (Herman); Russell; Steele; Verchio; Speaker Gosch

28 Excused:

29 Kaiser

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the bill passed and the title was agreed to.

3 Rep. Lust moved that SB 177, 53, 28, and 94 be placed to follow SB 20 on today's
4 calendar.

5 Which motion prevailed.

6 SB 20: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to demolish
7 buildings on the campus of South Dakota State University and to make an appropriation
8 therefor.

9 Was read the second time.

10 Rep. Lust moved the previous question.

11 Which motion prevailed.

12 The question being "Shall SB 20 pass?"

13 And the roll being called:

14 Yeas 64, Nays 4, Excused 2, Absent 0

15 Yeas:

16 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
17 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
18 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
19 (Bernie); Johns; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;
20 Munsterman; Novstrup (David); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
21 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
22 Stalzer; Steele; Stevens; Tulson; Tyler; Westra; Wick; Wink; Wismer; Speaker Gosch

23 Nays:

24 Nelson; Olson (Betty); Verchio; Werner

25 Excused:

26 Kaiser; Killer

27 So the bill having received an affirmative vote of a two-thirds majority of the members-
28 elect, the Speaker declared the bill passed and the title was agreed to.

1 There being no objection, the House reverted to Order of Business No. 7.

2 MESSAGES FROM THE SENATE

3 MR. SPEAKER:

4 I have the honor to inform your honorable body that the Senate has concurred in House
5 amendments to SB 2.

6 Also MR. SPEAKER:

7 I have the honor to inform your honorable body that the Senate has adopted the report of
8 the Conference Committee on HB 1069.

9 Also MR. SPEAKER:

10 I have the honor to inform your honorable body that HB 1169 and 1099 were lost on
11 second reading and final passage.

12 Also MR. SPEAKER:

13 I have the honor to inform your honorable body that the Senate has appointed Sens. Vehle,
14 Tieszen, and Omdahl as a committee of three on the part of the Senate to meet with a like
15 committee on the part of the House to adjust the differences between the two houses on
16 HB 1177.

17 Respectfully,
18 Jeannette Schipper, Secretary

19 Rep. Lust moved that the House do now recess until 1:30 p.m., which motion prevailed and
20 at 12:08 p.m., the House recessed.

21 RECESS

22 The House reconvened at 1:30 p.m., the Speaker presiding.

MOTIONS AND RESOLUTIONS

Rep. Hickey moved that the House do concur in Senate amendments to HB 1127.

The question being on Rep. Hickey's motion that the House do concur in Senate amendments to HB 1127.

And the roll being called:

Yeas 63, Nays 6, Excused 1, Absent 0

Yeas:

Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup (David); Olson (Betty); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

Nays:

Greenfield; Killer; Langer; Nelson; Otten (Herman); Russell

Excused:

Kaiser

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and the amendments were concurred in.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

Rep. Lust moved that SB 158, 44, 157, and 143 be placed to precede SB 177 on today's calendar.

Which motion prevailed.

Rep. Lust moved that SB 158 be placed to follow SB 157 on today's calendar.

Which motion prevailed.

1 SB 44: FOR AN ACT ENTITLED, An Act to create a provider revolving loan fund for
2 skilled nursing facilities in the Department of Social Services, to make an appropriation
3 therefor, and to declare an emergency.

4 Was read the second time.

5 Rep. Romkema moved that SB 44 be laid on the table.

6 The question being on Rep. Romkema's motion that SB 44 be laid on the table.

7 And the roll being called:

8 Yeas 54, Nays 15, Excused 1, Absent 0

9 Yeas:

10 Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
11 Ecklund; Erickson; Feickert; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hawks;
12 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Johns; Killer; Kirschman; Kopp;
13 Langer; Latterell; Lust; May; Mickelson; Munsterman; Novstrup (David); Olson (Betty);
14 Qualm; Ring; Romkema; Rounds; Russell; Schaefer; Schoenfish; Sly; Solum; Stalzer; Steele;
15 Stevens; Tulson; Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

16 Nays:

17 Bartling; Feinstein; Gibson; Hunhoff (Bernie); Magstadt; Nelson; Otten (Herman); Parsley;
18 Peterson; Rasmussen; Rozum; Schrenpp; Soli; Tyler; Wismer

19 Excused:

20 Kaiser

21 So the motion having received an affirmative vote of a majority of the members-elect, the
22 Speaker declared the motion carried and SB 44 was tabled.

23 SB 157: FOR AN ACT ENTITLED, An Act to make an appropriation to the building
24 South Dakota fund and to declare an emergency.

25 Was read the second time.

26 157sa

27 Rep. Rounds moved that SB 157 be amended as follows:

28 On page 1, line 5 of the Senate engrossed bill, after "Dakota" insert "fund.".

29 On page 1, delete lines 6 to 9, inclusive.

On page 1, delete line 10, and insert "Section 2. Subject to the purposes listed in subdivisions 1-16G-48(1) to (5), inclusive, no more than ten million dollars from the money appropriated in section 1 of this Act".

Which motion prevailed.

The question being "Shall SB 157 pass as amended?"

And the roll being called:

Yeas 63, Nays 6, Excused 1, Absent 0

Yeas:

Bartling; Bolin; Cammack; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Langer; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

Nays:

Anderson; Campbell; Kopp; Latterell; Nelson; Russell

Excused:

Kaiser

So the bill having received an affirmative vote of a two-thirds majority of the members-elect, the Speaker declared the bill passed and the title was agreed to.

SB 158: FOR AN ACT ENTITLED, An Act to revise certain funding provisions of the building South Dakota fund.

Was read the second time.

The question being "Shall SB 158 pass as amended?"

And the roll being called:

Yeas 62, Nays 6, Excused 2, Absent 0

1 Yeas:

2 Anderson; Bolin; Cammack; Carson; Conzet; Craig; Dryden; Duvall; Ecklund; Erickson;
3 Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hawks; Hawley;
4 Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman;
5 Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup (David); Olson
6 (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds;
7 Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson;
8 Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer

9 Nays:

10 Bartling; Campbell; Kopp; Nelson; Russell; Speaker Gosch

11 Excused:

12 Cronin; Kaiser

13 So the bill having received an affirmative vote of a two-thirds majority of the members-
14 elect, the Speaker declared the bill passed and the title was agreed to.

15 SB 143: FOR AN ACT ENTITLED, An Act to provide for a civil remedy for a bad faith
16 assertion of patent infringement.

17 Was read the second time.

18 143oa

19 Rep. Conzet moved that SB 143 be amended as follows:

20 On page 5, after line 9 of the Senate engrossed bill, insert:

21 " Section 9. This Act does not apply to any demand letter sent by:

22 (1) Any corporation traded on a public stock exchange or any entity owned or controlled
23 by such corporation;

24 (2) Any owner of the patent who is using the patent in connection with the production,
25 manufacturing, processing, or delivery of products or materials;

26 (3) Any institution of higher education as that term is defined in section 101 of the
27 Higher Education Act of 1965 (20 U.S.C. 1001) as of January 1, 2014; or

28 (4) Any technology transfer organization whose primary purpose is to facilitate the
29 commercialization of technology developed by an institution of higher education."

30 Which motion prevailed.

1 The question being "Shall SB 143 pass as amended?"

2 And the roll being called:

3 Yeas 66, Nays 1, Excused 3, Absent 0

4 Yeas:

5 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Dryden; Duvall;
6 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hawks;
7 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer;
8 Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Munsterman; Nelson; Novstrup
9 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
10 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
11 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
12 Speaker Gosch

13 Nays:

14 Feinstein

15 Excused:

16 Cronin; Kaiser; Mickelson

17 So the bill having received an affirmative vote of a majority of the members-elect, the
18 Speaker declared the bill passed and the title was agreed to.

19 Rep. Lust moved that SB 141 be placed to follow SB 107 on today's calendar.

20 Which motion prevailed.

21 Rep. Lust moved that SB 177, 53, 28, and 94 be placed to follow SB 18 on today's
22 calendar.

23 Which motion prevailed.

24 SB 37: FOR AN ACT ENTITLED, An Act to revise the state aid to general education
25 formula.

26 Was read the second time.

27 The question being "Shall SB 37 pass?"

28 And the roll being called:

29 Yeas 65, Nays 2, Excused 3, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hawks;
4 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer;
5 Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Munsterman; Nelson; Novstrup
6 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
7 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;
8 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

9 Nays:

10 Feinstein; Russell

11 Excused:

12 Cronin; Kaiser; Mickelson

13 So the bill having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the bill passed and the title was agreed to.

15 SB 38: FOR AN ACT ENTITLED, An Act to revise the state aid to special education
16 formula.

17 Was read the second time.

18 The question being "Shall SB 38 pass?"

19 And the roll being called:

20 Yeas 68, Nays 0, Excused 2, Absent 0

21 Yeas:

22 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Dryden; Duvall;
23 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
24 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
25 Johns; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;
26 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
27 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
28 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
29 Wick; Wink; Wismer; Speaker Gosch

30 Excused:

31 Cronin; Kaiser

32 So the bill having received an affirmative vote of a majority of the members-elect, the
33 Speaker declared the bill passed and the title was agreed to.

1 SB 18: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract
2 for the construction of a greenhouse on the campus of Northern State University and to make
3 an appropriation therefor.

4 Was read the second time.

5 The question being "Shall SB 18 pass?"

6 And the roll being called:

7 Yeas 60, Nays 8, Excused 2, Absent 0

8 Yeas:

9 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Dryden; Duvall; Erickson; Feickert;
10 Feinstein; Gibson; Greenfield; Haggar (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie);
11 Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Langer; Latterell; Lust;
12 Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup (David); Otten (Herman); Parsley;
13 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish;
14 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Werner; Westra; Wick;
15 Wink; Wismer; Speaker Gosch

16 Nays:

17 Campbell; Craig; Ecklund; Haggar (Don); Kopp; Olson (Betty); Russell; Verchio

18 Excused:

19 Cronin; Kaiser

20 So the bill having received an affirmative vote of a two-thirds majority of the members-
21 elect, the Speaker declared the bill passed and the title was agreed to.

22 Rep. Lust moved that the House do now recess until 3:30 p.m., which motion prevailed and
23 at 2:37 p.m., the House recessed.

24 **RECESS**

25 The House reconvened at 3:30 p.m., the Speaker presiding.

26 There being no objection, the House reverted to Order of Business No. 8.

1 **MOTIONS AND RESOLUTIONS**

2 Rep. Romkema moved that the House do concur in Senate amendments to HB 1039.

3 The question being on Rep. Romkema's motion that the House do concur in Senate
4 amendments to HB 1039.

5 And the roll being called:

6 Yeas 66, Nays 2, Excused 2, Absent 0

7 Yeas:

8 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
9 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
10 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
11 (Bernie); Johns; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Munsterman;
12 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
13 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;
14 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

15 Nays:

16 Nelson; Russell

17 Excused:

18 Kaiser; Mickelson

19 So the motion having received an affirmative vote of a majority of the members-elect, the
20 Speaker declared the motion carried and the amendments were concurred in.

21 Rep. Kopp moved that the House do concur in Senate amendments to HB 1129.

22 The question being on Rep. Kopp's motion that the House do concur in Senate amendments
23 to HB 1129.

24 And the roll being called:

25 Yeas 65, Nays 4, Excused 1, Absent 0

26 Yeas:

27 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
28 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek;
29 Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns;
30 Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup
31 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
32 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;
33 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

1 Nays:
2 Greenfield; Latterell; Nelson; Russell

3 Excused:
4 Kaiser

5 So the motion having received an affirmative vote of a majority of the members-elect, the
6 Speaker declared the motion carried and the amendments were concurred in.

7 Rep. Greenfield moved that the House do concur in Senate amendments to HB 1143.

8 Rep. Wismer moved as a substitute motion that the House do not concur in Senate
9 amendments to HB 1143 and that no committee be appointed.

10 The question being on Rep. Wismer's substitute motion that the House do not concur in
11 Senate amendments to HB 1143 and that no committee be appointed.

12 And the roll being called:

13 Yeas 21, Nays 48, Excused 1, Absent 0

14 Yeas:
15 Bartling; Feickert; Feinstein; Gibson; Hajek; Hawks; Hawley; Heinert; Hunhoff (Bernie); Killer;
16 Kirschman; May; Munsterman; Parsley; Peterson; Ring; Schrempp; Soli; Steele; Tyler; Wismer

17 Nays:
18 Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
19 Ecklund; Erickson; Greenfield; Haggar (Don); Haggar (Jenna); Heinemann (Leslie); Hickey;
20 Hoffman; Johns; Kopp; Langer; Latterell; Lust; Magstadt; Mickelson; Nelson; Novstrup
21 (David); Olson (Betty); Otten (Herman); Qualm; Rasmussen; Romkema; Rounds; Rozum;
22 Russell; Schaefer; Schoenfish; Sly; Solum; Stalzer; Stevens; Tulson; Verchio; Werner; Westra;
23 Wick; Wink; Speaker Gosch

24 Excused:
25 Kaiser

26 So the motion not having received an affirmative vote of a majority of the members-elect,
27 the Speaker declared the motion lost.

28 Rep. Wismer moved as a substitute motion that the House do not concur in Senate
29 amendments to HB 1143 and that a committee of three on the part of the House be appointed
30 to meet with a like committee on the part of the Senate to adjust the differences between the two
31 houses.

32 Which motion lost.

1 The question being on Rep. Greenfield's motion that the House do concur in Senate
2 amendments to HB 1143.

3 And the roll being called:

4 Yeas 51, Nays 18, Excused 1, Absent 0

5 Yeas:

6 Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
7 Erickson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Heinemann (Leslie); Hickey;
8 Hoffman; Johns; Kopp; Langer; Latterell; Lust; Magstadt; Mickelson; Nelson; Novstrup
9 (David); Olson (Betty); Otten (Herman); Peterson; Qualm; Rasmussen; Romkema; Rounds;
10 Rozum; Russell; Schaefer; Schoenfish; Sly; Solum; Stalzer; Steele; Stevens; Tulson; Tyler;
11 Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

12 Nays:

13 Bartling; Ecklund; Feickert; Feinstein; Gibson; Hawks; Hawley; Heinert; Hunhoff (Bernie);
14 Killer; Kirschman; May; Munsterman; Parsley; Ring; Schrempp; Soli; Wismer

15 Excused:

16 Kaiser

17 So the motion having received an affirmative vote of a majority of the members-elect, the
18 Speaker declared the motion carried and the amendments were concurred in.

19 Rep. Jenna Haggar moved that the House do concur in Senate amendments to HB 1162.

20 Rep. Gibson moved as a substitute motion that the House do not concur in Senate
21 amendments to HB 1162 and that no committee be appointed.

22 The question being on Rep. Gibson's substitute motion that the House do not concur in
23 Senate amendments to HB 1162 and that no committee be appointed.

24 And the roll being called:

25 Yeas 11, Nays 58, Excused 1, Absent 0

26 Yeas:

27 Feinstein; Gibson; Hawks; Hawley; Heinert; Hunhoff (Bernie); Killer; Parsley; Schrempp; Soli;
28 Wismer

1 Nays:

2 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
3 Duvall; Ecklund; Erickson; Feickert; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
4 Heinemann (Leslie); Hickey; Hoffman; Johns; Kirschman; Kopp; Langer; Latterell; Lust;
5 Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten
6 (Herman); Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer;
7 Schoenfish; Sly; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
8 Wick; Wink; Speaker Gosch

9 Excused:

10 Kaiser

11 So the motion not having received an affirmative vote of a majority of the members-elect,
12 the Speaker declared the motion lost.

13 The question being on Rep. Jenna Haggar's motion that the House do concur in Senate
14 amendments to HB 1162.

15 And the roll being called:

16 Yeas 59, Nays 10, Excused 1, Absent 0

17 Yeas:

18 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
19 Duvall; Ecklund; Erickson; Feickert; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
20 Hawley; Heinemann (Leslie); Hickey; Hoffman; Johns; Kirschman; Kopp; Langer; Latterell;
21 Lust; Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten
22 (Herman); Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer;
23 Schoenfish; Sly; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
24 Wick; Wink; Speaker Gosch

25 Nays:

26 Feinstein; Gibson; Hawks; Heinert; Hunhoff (Bernie); Killer; Parsley; Schrempp; Soli; Wismer

27 Excused:

28 Kaiser

29 So the motion having received an affirmative vote of a majority of the members-elect, the
30 Speaker declared the motion carried and the amendments were concurred in.

31 Rep. Nelson moved that the House do not concur in Senate amendments to HCR 1028 and
32 that a committee of three on the part of the House be appointed to meet with a like committee
33 on the part of the Senate to adjust the differences between the two houses.

34 Which motion prevailed and the Speaker appointed as such committee Reps. Russell,
35 Nelson, and Kirschman.

1 Rep. May moved that the House do concur in Senate amendments to HCR 1031.

2 The question being on Rep. May's motion that the House do concur in Senate amendments
3 to HCR 1031.

4 And the roll being called:

5 Yeas 67, Nays 2, Excused 1, Absent 0

6 Yeas:

7 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
8 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
9 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
10 (Bernie); Johns; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;
11 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
12 Qualm; Rasmussen; Ring; Romkema; Rounds; Russell; Schaefer; Schoenfish; Schrempp; Sly;
13 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;
14 Wismer; Speaker Gosch

15 Nays:

16 Killer; Rozum

17 Excused:

18 Kaiser

19 So the motion having received an affirmative vote of a majority of the members-elect, the
20 Speaker declared the motion carried and the amendments were concurred in.

21 SCR 6: A CONCURRENT RESOLUTION, Expressing the Legislature's support for
22 citizens and communities in eastern South Dakota impacted by severe high water conditions
23 over the last two decades.

24 Rep. Wismer moved that SCR 6 as found on pages 498 and 547 of the Senate Journal be
25 concurred in as amended.

26 The question being on Rep. Wismer's motion that SCR 6 be concurred in as amended.

27 And the roll being called:

28 Yeas 69, Nays 0, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
3 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
4 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;
6 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
7 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
9 Wick; Wink; Wismer; Speaker Gosch

10 Excused:

11 Kaiser

12 So the motion having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the motion carried and SCR 6 was concurred in as amended.

14 Rep. Wink moved that when we adjourn today, we adjourn to convene at 10:30 a.m. on
15 Wednesday, March 12, the 35th legislative day.

16 Which motion prevailed.

17 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

18 Rep. Lust moved that SB 177 be placed to follow SB 141 on today's calendar.

19 Which motion prevailed.

20 SB 53: FOR AN ACT ENTITLED, An Act to make an appropriation to fund the New
21 South Dakotans and Dakota Roots programs and to declare an emergency.

22 Was read the second time.

23 53ma

24 Rep. Lust moved that SB 53 be amended as follows:

25 On the House Appropriations Committee engrossed bill, delete everything after the
26 enacting clause and insert:

27 " Section 1. There is hereby appropriated from the general fund, the sum of one million dollars
28 (\$1,000,000), or so much thereof as may be necessary, to the South Dakota Board of Water and
29 Natural Resources for the purpose of providing advance federal funds for the construction of
30 the facilities included in the Lewis and Clark Rural Water System as authorized in

1 § 46A-1-13.10. Funds shall be provided according to terms and conditions established by the
2 Board of Water and Natural Resources.

3 Section 2. The secretary of the Department of Environment and Natural Resources shall
4 approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by
5 section 1 of this Act.

6 Section 3. There is hereby appropriated from the general fund, the sum of five hundred
7 thousand dollars (\$500,000), or so much thereof as may be necessary, to the Governor's Office
8 of Economic Development for the purpose of funding the Readiness and Environmental
9 Protection and Integration (REPI) buffer program at Ellsworth Air Force Base.

10 Section 4. The commissioner of the Governor's Office of Economic Development shall
11 approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by
12 section 3 of this Act.

13 Section 5. There is hereby appropriated from the general fund, the sum of four hundred
14 sixty-four thousand dollars (\$464,000), or so much thereof as may be necessary, to the Board
15 of Regents for the purpose of funding a shale research facility at the South Dakota School of
16 Mines and Technology.

17 Section 6. The executive director of the Board of Regents shall approve vouchers and the
18 state auditor shall draw warrants to pay expenditures authorized by section 5 of this Act.

19 Section 7. There is hereby appropriated from the general fund the sum of five hundred
20 thousand dollars (\$500,000), or so much thereof as may be necessary, to the state aeronautics
21 fund for the purposes of airport improvements.

22 Section 8. The secretary of the Department of Transportation shall approve vouchers and
23 the state auditor shall draw warrants to pay expenditures authorized by section 7 of this Act.

24 Section 9. Any amounts appropriated in this Act not lawfully expended or obligated by
25 June 30, 2015, shall revert in accordance with the procedures prescribed in chapter 4-8.

26 Section 10. Whereas, this Act is necessary for the support of the state government and its
27 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
28 full force and effect from and after its passage and approval."

29 Rep. Greenfield called for a division of the House.

30 The Speaker declared Rep. Lust's motion prevailed.

1 The question being "Shall SB 53 pass as amended?"

2 And the roll being called:

3 Yeas 42, Nays 27, Excused 1, Absent 0

4 Yeas:

5 Anderson; Bolin; Cammack; Carson; Conzet; Cronin; Dryden; Duvall; Erickson; Greenfield;
6 Haggar (Don); Haggar (Jenna); Hajek; Heinemann (Leslie); Hickey; Hoffman; Johns; Langer;
7 Latterell; Lust; Magstadt; Mickelson; Munsterman; Novstrup (David); Olson (Betty); Otten
8 (Herman); Rasmussen; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Sly; Solum; Stalzer;
9 Steele; Stevens; Tulson; Westra; Wick; Wink; Speaker Gosch

10 Nays:

11 Bartling; Campbell; Craig; Ecklund; Feickert; Feinstein; Gibson; Hawks; Hawley; Heinert;
12 Hunhoff (Bernie); Killer; Kirschman; Kopp; May; Nelson; Parsley; Peterson; Qualm; Ring;
13 Russell; Schrempp; Soli; Tyler; Verchio; Werner; Wismer

14 Excused:

15 Kaiser

16 So the bill not having received an affirmative vote of a two-thirds majority of the members-
17 elect, the Speaker declared the bill lost.

18 Rep. Lust announced his intention to reconsider the vote by which SB 53 lost.

19 SB 28: FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs
20 related to mountain pine beetle suppression and to declare an emergency.

21 Was read the second time.

22 28mc

23 Rep. Dryden moved that SB 28 be amended as follows:

24 On page 1, line 4, of the House Appropriations Committee engrossed bill, delete "one
25 dollar (\$1)," and insert "one million nine hundred fifty thousand dollars (\$1,950,000),".

26 Which motion prevailed.

27 The question being "Shall SB 28 pass as amended?"

28 And the roll being called:

1 Yeas 66, Nays 3, Excused 1, Absent 0

2 Yeas:

3 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
4 Duvall; Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
5 Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns;
6 Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman;
7 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
8 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
9 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

10 Nays:

11 Feinstein; Nelson; Wismer

12 Excused:

13 Kaiser

14 So the bill having received an affirmative vote of a two-thirds majority of the members-
15 elect, the Speaker declared the bill passed and the title was agreed to.

16 SB 94: FOR AN ACT ENTITLED, An Act to appropriate money in order to fund the fiscal
17 year 2014 health insurance shortfall for Board of Regents employees compensated from tuition,
18 fees, and other funds, and to declare an emergency.

19 Was read the second time.

20 Rep. Cronin moved that SB 94 be laid on the table.

21 The question being on Rep. Cronin's motion that SB 94 be laid on the table.

22 And the roll being called:

23 Yeas 69, Nays 0, Excused 1, Absent 0

24 Yeas:

25 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
26 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
27 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
28 (Bernie); Johns; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;
29 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
30 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
31 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
32 Wick; Wink; Wismer; Speaker Gosch

33 Excused:

34 Kaiser

1 So the motion having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the motion carried and SB 94 was tabled.

3 SB 15: FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building
4 Authority and the Board of Regents to finance, design, construct, furnish, and equip a football
5 stadium facility at South Dakota State University, to make an appropriation therefor, and to
6 declare an emergency.

7 Was read the second time.

8 The question being "Shall SB 15 pass as amended?"

9 And the roll being called:

10 Yeas 62, Nays 7, Excused 1, Absent 0

11 Yeas:

12 Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
13 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
14 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hoffman; Hunhoff (Bernie); Johns;
15 Killer; Kirschman; Langer; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup (David);
16 Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum;
17 Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler;
18 Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

19 Nays:

20 Campbell; Hickey; Kopp; Latterell; Nelson; Olson (Betty); Russell

21 Excused:

22 Kaiser

23 So the bill having received an affirmative vote of a two-thirds majority of the members-
24 elect, the Speaker declared the bill passed and the title was agreed to.

25 Rep. Lust moved that the House do now recess until 5:30 p.m., which motion prevailed and
26 at 5:11 p.m., the House recessed.

27 **RECESS**

28 The House reconvened at 5:30 p.m., the Speaker presiding.

29 There being no objection, the House reverted to Order of Business No. 7.

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1 On page 1, line 1, of the House Appropriations Committee engrossed bill, delete everything
2 after "make" and insert "appropriations to fund certain programs and projects that provide
3 economic benefits to South Dakotans and to declare an emergency."

4 On page 1, delete line 2.

5 Which motion prevailed and the title was so amended.

6 SB 137: FOR AN ACT ENTITLED, An Act to make an appropriation to rehabilitate
7 certain state-owned rail lines and to declare an emergency.

8 Was read the second time.

9 Rep. Lust moved that SB 137 be laid on the table.

10 The question being on Rep. Lust's motion that SB 137 be laid on the table.

11 And the roll being called:

12 Yeas 66, Nays 3, Excused 1, Absent 0

13 Yeas:

14 Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
15 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
16 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
17 Johns; Killer; Kirschman; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman;
18 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
19 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
20 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
21 Speaker Gosch

22 Nays:

23 Bartling; Kopp; Nelson

24 Excused:

25 Kaiser

26 So the motion having received an affirmative vote of a majority of the members-elect, the
27 Speaker declared the motion carried and SB 137 was tabled.

28 SB 107: FOR AN ACT ENTITLED, An Act to accommodate legislation on the state aid
29 to education formula and to make an appropriation therefor.

30 Was read the second time.

1 Rep. Cronin moved that SB 107 be laid on the table.

2 The question being on Rep. Cronin's motion that SB 107 be laid on the table.

3 And the roll being called:

4 Yeas 67, Nays 2, Excused 1, Absent 0

5 Yeas:

6 Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
7 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
8 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Johns; Killer;
9 Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Nelson;
10 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
11 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
12 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
13 Speaker Gosch

14 Nays:

15 Bartling; Hunhoff (Bernie)

16 Excused:

17 Kaiser

18 So the motion having received an affirmative vote of a majority of the members-elect, the
19 Speaker declared the motion carried and SB 107 was tabled.

20 SB 141: FOR AN ACT ENTITLED, An Act to make an appropriation to fund certain
21 scholarship programs and to declare an emergency.

22 Was read the second time.

23 Rep. Bartling moved that SB 141 be laid on the table.

24 The question being on Rep. Bartling's motion that SB 141 be laid on the table.

25 And the roll being called:

26 Yeas 64, Nays 5, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Hagggar (Don); Hagggar (Jenna);
4 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Johns; Killer;
5 Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup
6 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Romkema;
7 Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;
8 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

9 Nays:

10 Bartling; Hunhoff (Bernie); Nelson; Ring; Wismer

11 Excused:

12 Kaiser

13 So the motion having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the motion carried and SB 141 was tabled.

15 SB 177: FOR AN ACT ENTITLED, An Act to make an appropriation to provide
16 contingency funds to be made available for unanticipated costs related to inmate health care and
17 health insurance for state employees, and to declare an emergency.

18 Was read the second time.

19 177hc

20 Rep. Lust moved that SB 177 be amended as follows:

21 On page 1, line 5, of the House Appropriations Committee engrossed bill, delete "ten" and
22 insert "sixteen".

23 On page 1, line 6, delete "\$10,000,000" and insert "\$16,000,000".

24 On page 1, line 6, delete everything after "and" .

25 On page 1, line 7, delete everything before "of" and insert "seventeen million four hundred
26 sixteen thousand eight hundred seventy-six dollars (\$17,416,876)".

27 Which motion prevailed.

28 The question being "Shall SB 177 pass as amended?"

29 And the roll being called:

30 Yeas 68, Nays 1, Excused 1, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;
3 Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar
4 (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Killer; Kirschman; Kopp; Langer; Lust; Magstadt; May; Mickelson;
6 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
7 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
9 Wick; Wink; Wismer; Speaker Gosch

10 Nays:

11 Latterell

12 Excused:

13 Kaiser

14 So the bill having received an affirmative vote of a two-thirds majority of the members-
15 elect, the Speaker declared the bill passed and the title was agreed to.

16 There being no objection, the House reverted to Order of Business No. 5.

17 **REPORTS OF STANDING COMMITTEES**

18 MR. SPEAKER:

19 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
20 and Enrolling has carefully compared HB 1046, 1063, 1071, 1087, 1100, 1113, 1161, and 1166
21 and finds the same correctly enrolled.

22 Respectfully submitted,
23 Brian G. Gosch, Chair

24 **SIGNING OF BILLS**

25 The Speaker publicly read the title to

26 HB 1046: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
27 licenses issued by the State Plumbing Commission and the fees that may be set by the
28 commission.

29 HB 1063: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to jury
30 selection.

1 HB 1071: FOR AN ACT ENTITLED, An Act to change the procedure for a minor
2 boundary change.

3 HB 1087: FOR AN ACT ENTITLED, An Act to change how rural fire protection districts
4 conduct elections.

5 HB 1100: FOR AN ACT ENTITLED, An Act to prohibit the use of certain photo
6 monitoring devices to detect red light violations.

7 HB 1113: FOR AN ACT ENTITLED, An Act to make an appropriation to fund tax refunds
8 for elderly persons and persons with a disability and to declare an emergency.

9 HB 1161: FOR AN ACT ENTITLED, An Act to establish a cause of action for wrongful
10 human trafficking.

11 HB 1166: FOR AN ACT ENTITLED, An Act to revise the telecommunications services
12 program to include current and developing technology.

13 And signed the same in the presence of the House.

14 Rep. Steele moved that the House do now adjourn, which motion prevailed and at
15 6:23 p.m. the House adjourned.

16
Arlene Kvislen, Chief Clerk

